

REMARKS

In the above-mentioned, final Office Action, all of the pending claims, claims 33-65, were rejected. The claims were rejected under section 103(a) over the combination of Vialen and Jang. In the rejection, the Examiner acknowledged that Vialen fails to specifically disclose transitioning from a connected mode state to an idle mode state; and at least one member also corresponding to a cell which is not currently supporting the first connected mode state; and transitioning to an idle mode state. However, the Examiner relied upon Jang for disclosing these features.

In additional remarks set forth in the Examiner's Advisory Action dated 10 July 2008, the Examiner further noted that, if the Applicants intend to differentiate between the initialization and dormant states, and the one member corresponding to a cell which is not currently supporting the first connected mode state, then such differences should be made explicit in the claims.

The Applicants acknowledge the Examiner's comments and suggestions. And, amendments set forth herein to independent claims 33, 42, 51, and 59 are made to distinguish better the invention of the present application over the cited combination of references.

With respect to exemplary claim 33, the claim has been amended, now to recite identifying a set of UMTS based candidate cells wherein at least one of the set of candidate cells is a cell which is not currently supporting the connected mode state. And, the claim has further been amended, now to recite selecting a candidate cell from the identified set of candidate cells. Independent claims 42, 51, and 59 have been analogously amended.

Amendments made to various of the dependent claims are made responsive to amendments made to their respective parent claims.

Support for the amendments is found in the specification, e.g., page 13, line 32 – page 14, line 12.

Neither Vialen nor Jang are believed to disclose the method or structure of the claims, as now presented. Namely, Jang, relied upon by the Examiner, fails to disclose a set of UMTS based candidate cells wherein at least one of the candidate cells is a cell not currently supporting the connected mode state. The Applicants believe that this recitation is distinguishable over any disclosure or inference set forth in Jang of the identification of a transition to an idle or initialization state. The amended claims make explicit that the claimed invention involves identifying cells that are not currently supporting a connected mode state rather than merely identifying different possible states associated with cells.

As Vialen was previously acknowledged by the Examiner for failing to disclose at least one member of a candidate cell set which is not currently supporting a first connected mode state, nor of transitioning between a connected mode and an idle mode, the Applicants believe that no combination of Vialen and Jang can be formed to create the invention as now-recited in the independent claims.

As the dependent claims include all of the recitations of their respective parent claims, these claims are believed to be distinguishable over the combination of Vialen and Jang for the same reasons as those given with respect to their parent claims.

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In light of the foregoing, independent claims 33, 42, 51, and 59, and the dependent claims dependent thereon, are believed to be in condition for allowance. Accordingly, reexamination and reconsideration for allowance of the claims is respectfully requested. Such early action is earnestly solicited.

Respectfully submitted,

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